

9/3/07

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

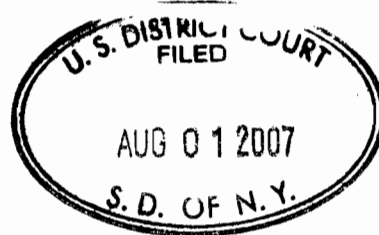
EDWARD F. HAAS, Individually, §
and on behalf of others §
similarly situated, §
Plaintiff, §

vs. §

CARLOS M. GUTIERREZ, §
Secretary, U.S. Department of §
Commerce; §
WILLIAM A. JEFFREY, Director, §
National Institute of Standards §
and Technology (NIST); §
D. SHYAM SUNDER, Lead §
Investigator of NIST, WTC §
Investigation; §
DR. THERESA McALLISTER, §
Research Structural Engineer, NIST; §
CATHERINE FLETCHER, Chief, §
Management and Organizational §
Division, National Institute of Standards §
and Technology (NIST); §
APPLIED RESEARCH ASSOCIATES, §
INC.; SCIENCE APPLICATIONS §
INTERNATIONAL CORP.; §
SILVERSTEIN PROPERTIES; and §
JOHN DOE I-V, Contractors, §
Employed by NIST, §
Defendants. §

Case No. 07CV3623 (VM)

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**



S.D. OF N.Y.

FILED
U.S. DISTRICT COURT

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District

Courts for the Southern and Eastern Districts of New York, I Adam S. Ennis, a member
in good standing of the bar of this Court, hereby move for an Order allowing the
admission pro hac vice of :

Wm. David Byassee
Jackson Kelly PLLC
1099 18th Street, Suite 2150

622653 8-1-07 Jf

Denver, Colorado 80202
303.390.0003 Telephone
303.390.0177 Fax

Wm. David Byassee is a member in good standing of the Bar of the States of Colorado and Kansas. There are no pending disciplinary proceedings against Wm. David Byassee in any State or Federal court.

Dated:

City, State: Pittsburgh, PA

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Adam Ennis", is written over a horizontal line.

Adam S. Ennis
SDNY Bar No. AE9468
Jackson Kelly PLLC
Three Gateway Center, Suite 1340
Pittsburgh, PA 15222
412.434.8804 Telephone
412.434.8062 Fax

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

| | | |
|---|---|-----------------------------------|
| EDWARD F. HAAS, Individually, | § | |
| and on behalf of others | § | |
| similarly situated, | § | |
| Plaintiff, | § | |
| | § | |
| vs. | § | |
| | § | |
| CARLOS M. GUTIERREZ, | § | |
| Secretary, U.S. Department of | § | |
| Commerce; | § | Case No. 07CV3623 (VM) |
| WILLIAM A. JEFFREY, Director, | § | |
| National Institute of Standards | § | |
| and Technology (NIST); | § | |
| D. SHYAM SUNDER, Lead | § | AFFIDAVIT OF ADAM S. ENNIS |
| Investigator of NIST, WTC | § | IN SUPPORT OF MOTION |
| Investigation; | § | TO ADMIT COUNSEL |
| DR. THERESA McALLISTER, | § | PRO HAC VICE |
| Research Structural Engineer, NIST; | § | |
| CATHERINE FLETCHER, Chief, | § | |
| Management and Organizational | § | |
| Division, National Institute of Standards | § | |
| and Technology (NIST); | § | |
| APPLIED RESEARCH ASSOCIATES, | § | |
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| INTERNATIONAL CORP.; | § | |
| SILVERSTEIN PROPERTIES; and | § | |
| JOHN DOE I-V, Contractors, | § | |
| Employed by NIST, | § | |
| | § | |
| Defendants. | § | |

Adam S. Ennis, being duly sworn, hereby deposes and says as follows:

1. I am an attorney at Jackson Kelly PLLC, counsel for Defendant, Applied Research Associates, Inc., in the above captioned matter. I am familiar with the proceedings in this case. I make this statement based on personal knowledge of the facts set forth herein and in support of Defendant's motion to admit Wm. David Byassee as counsel pro hac vice to represent Defendant Applied Research Associates, Inc. in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in the State of New York on April 15, 1991. I was also

admitted to practice law in the Commonwealth of Pennsylvania on May 31, 1994. I was admitted to the bar of the United States District Court for the Southern District of New York in 1991, and am in good standing with this Court.

3. I have known Wm. David Byassee since January 2007.
4. Wm. David Byassee is an attorney at Jackson Kelly PLLC in Denver, Colorado.
5. I have found Wm. David Byassee to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.
6. Accordingly, I am pleased to move for the admission of Wm. David Byassee, pro hac vice.
7. I respectfully submit a proposed order granting the submission of Wm. David Byassee, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Wm. David Byassee, pro hac vice, to represent Defendant Applied Research Associates, Inc. in the above captioned matter be granted.

Dated:

City, State: Pittsburgh, PA

Respectfully submitted,

Adam G.

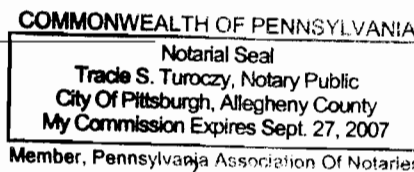
Adam S. Ennis
SDNY Bar No. AE9468

STATE OF PENNSYLVANIA)
)
COUNTY OF ALLEGHENY)

Subscribed and sworn to before me this 27th day of July, 2007, by Adam S. Ennis.

Travis T. Toney
Notary Public

My Commission expires:



The Supreme Court of Kansas



Certificate of Good Standing

I, **Carol G. Green**, Clerk of the Supreme Court of the State of Kansas, do hereby certify that the Supreme Court of Kansas is the highest court of law, and the court of last resort within the State of Kansas, and has exclusive jurisdiction over and control of the admission of applicants to the bar of this state.

I do further certify that on April 18, 1975,

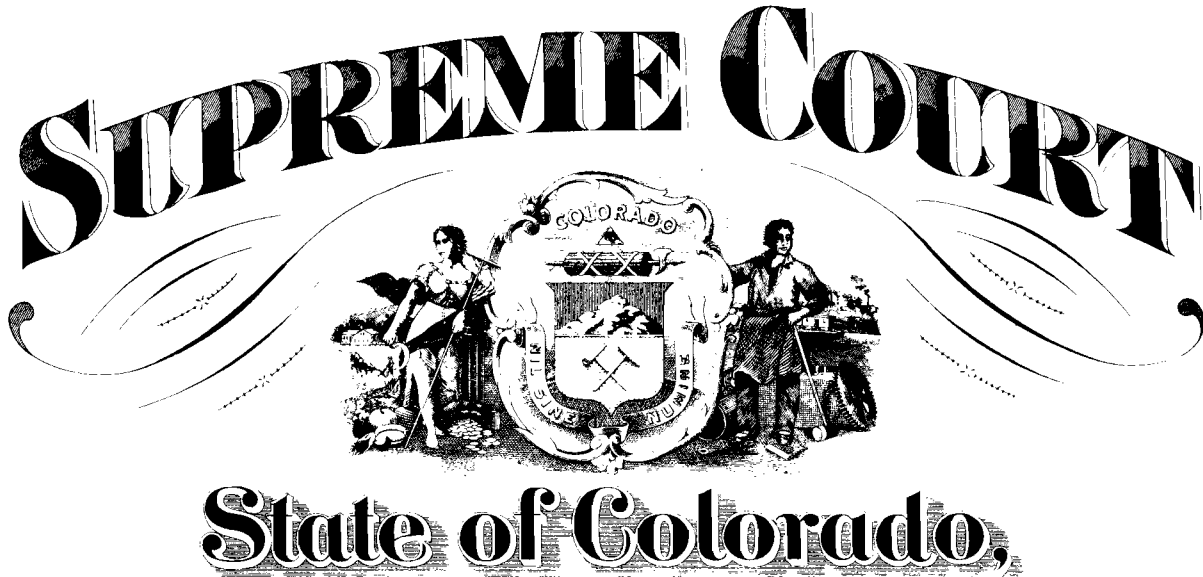
WILLIAM DAVID BYASSEE

was duly admitted to practice as an attorney and counselor of the Supreme Court and all other courts of the State of Kansas and is, on the date indicated below, a member in good standing of the Kansas Bar.

ACTIVE STATUS

Witness my hand and the seal of the Supreme Court, hereto affixed at my office in Topeka, Kansas, this 27th day of July, 2007.

Carol G. Green
Clerk of the Supreme Court of Kansas



STATE OF COLORADO, ss:

I, Susan J. Festag Clerk of the Supreme Court of the State of Colorado, do hereby certify that

WILLIAM D. BYASSEE

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 31st

day of December A. D. 1986 and that at the date hereof the said WILLIAM D. BYASSEE

is in good standing at this Bar.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

26th day of July A. D. 2007

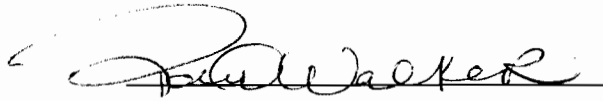
Susan J. Festag

Clerk

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing Motion to Admit Counsel Pro Hac Vice has been sent via U.S. mail, postage prepaid, on this 30th day of July, 2007 to the following counsel of record:

Jerry V. Leaphart
Jerry V. Leaphart & Assoc., P.C.
8 West Street, Suite 203
Danbury, CT 06810
Counsel for Plaintiff

A handwritten signature in black ink, appearing to read "Paul Walker", is written over a horizontal line.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EDWARD F. HAAS, Individually, §
and on behalf of others §
similarly situated, §
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| JOHN DOE I-V, Contractors, | \$ |
| Employed by NIST, | \$ |
| | \$ |
| Defendants. | \$ |

Case No. 07CV3623 (VM)

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Adam S. Ennis attorney for Applied Research Associates, Inc. and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Wm. David Byassee
Jackson Kelly PLLC
1099 18th Street, Suite 2150
Denver, Colorado 80202
303.390.0003 Telephone
303.390.0177 Fax

is admitted to practice pro hac vice as counsel for Applied Research Associates, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated:

City, State:

United States District/Magistrate Judge